

### III. REMARKS

By this amendment, claims 1, 5, 9, 13, 16, 22, 24, 29, 34 and 41 have been amended and claims 4, 23 and 35 have been canceled. As a result, claims 1-3, 5-22, 24-34 and 36-45 remain pending in this application. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 6, 13, 14, 17, 24, 30, 36 and 42 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 6, 13, 14, 17, 24, 30, 36 and 42 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being incomplete for omitting essential elements. Claims 1-4, 5, 7, 8, 9-12, 15, 22-45 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Claims 1-4 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Katz, Contemporary Logic Design, hereafter “Katz.” Claims 16 and 18-21 have been indicated as being allowed. Applicant gratefully appreciates the indication of allowability.

Initially, Applicant thanks the Examiner for the telephone interview of April 4, 2007, with their representative, Hunter E. Webb. A proposed amendment was submitted in advance of the interview. In the interview, Applicant’s representative proposed an amendment to claim 1 to include features of claim 5 deemed to be allowable. The Examiner indicated that the claim would be allowable as amended. Applicant’s representative also explained how, based on the specification, one skilled in the art would be able to separate the state machine into color

segments and reassemble them into the state machine. The Examiner agreed with Applicant's representative that this reasoning overcame the Office's rejections under 35 U.S.C. §112. Applicant's representative still further proposed amendments to overcome the Examiner's rejections under 35 U.S.C. §101. The Examiner, while not agreeing with the Applicant's amendments, proposed alternative amendments that have been incorporated into this paper.

**A. REJECTION OF CLAIMS 6, 13, 14, 17, 24, 30, 36 and 42 UNDER 35 U.S.C. §112, FIRST AND SECOND PARAGRAPHS**

The Office has asserted that claims 6, 13, 14, 17, 24, 30, 36 and 42 fail to meet the enablement requirement and are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, Applicant respectfully directs the Office to para. 027 of the original specification, which describes the association of transitional vectors with a particular node. For example, nodes 52D and 52E (i.e., those navigating away from the node) are specified as belonging to node 50B, but not nodes 52A or 52G (those navigating toward the node). Transitional vectors are further described in para. 033, describing FIG. 3, in which states that the unique value of the transitional vector has a unique value having two parts.

The first part represents an arbitrary value, while the second part represents the unique node identifier to which the corresponding transitional vector leads. For example, unique value "5,79" leads to node 72B with a unique node identifier of "79." Para. 033.

Accordingly, based on the teachings of the claimed invention that, *inter alia*, each transitional vector is associated with an origination node and has a unique value that specifies the destination node, a user could take a received node from a group of nodes having the same color segment and use the transitional vectors associated with that node to find its place within the state

machine. As for disassembling the state machine, search programs that search nodes in a linked “graph type” configuration for a certain chromatic (e.g., color segment) are well known in the art. Thus, the claim satisfies the enablement requirement.

With respect to the indefiniteness rejection, Applicant respectfully submits that, as states above, the nodes of the state machine are grouped into designated groups called color segments. Nodes from one color segment may then be outputted, received, transported, etc., such that color segment groups are outputted, received, transported, etc., separately from each other color segment groups. Based on, *inter alia*, the arguments iterated above with respect to enablement, Applicant submits that the claims do particularly point out and distinctly claim the subject matter of the invention.

#### **B. REJECTION OF CLAIMS 1-4, 5, 7, 8, 9-12, 15, 22-45 UNDER 35 U.S.C. §101**

The Office has rejected claims 1-4, 5, 7, 8, 9-12, 15, 22-45 for allegedly being directed to non-statutory subject matter. Applicant has amended claims 1, 5, 9, 16, 22, 29, 34 and 41 to add limitations indicating computer implementation and to include subject matter in claims 13, 24 and 35 that has been deemed to be allowable. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

#### **C. REJECTION OF CLAIMS 1-4 UNDER 35 U.S.C. §102(b)**

With regard to the 35 U.S.C. §102(b) rejection over Katz, Applicant asserts that Katz does not teach each and every feature of the claimed invention. Applicant has amended claim 1

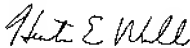
to incorporate features of claim 5 that have been deemed to be allowable. Accordingly, Applicant requests that the rejection be withdrawn.

#### IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. These features have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



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